

EXHIBIT B

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF OHIO

WESTERN DIVISION

CARL G. SIMPSON and BONNIE REED
SIMPSON, Co-Administrators of the
Estate of Carl G. Simpson,

Case No. C-1-000014

Plaintiffs,

-vs-

INTERMET CORPORATION, ET AL.,

Defendant.

DEPOSITION OF THOMAS EARL WUEPPER

Taken by Plaintiff on the 22nd day of October, 2003 at
510 West Huron, AuGres, Michigan, at 1:36 p.m.

APPEARANCES:

For the Plaintiff: MR. RANDALL LAMBERT
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For the Defendant: MR. LAWRENCE J. BARTY
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1 Q. Was there any type of training provided by CMI or you or
2 through your department for the people working in the
3 engineering department that assisted them in being,
4 maintaining compliance with OSHA, such as on-the-job
5 training or documents or anything that was provided?
6 A. I don't believe so.

7 Q. Was there any type of review process or anything that
8 you had in place formally that provided for review of
9 drawings or design proposals from a safety standpoint,
10 checklist or any type of formal procedure?

11 A. I don't recollect a real formal procedure of that
12 offhand.

13 Q. Was there some type of approval process where more than
14 one person was involved in design proposals,
15 specifically like retrofitting a machine design to
16 retrofit a machine, was there any review process or
17 basically the person that was assigned that project was
18 --

19 A. You finished?

20 Q. Yes.

21 A. Okay. The person responsible for it would more or less
22 follow it. When a machine would be on the floor we
23 would all look at it. And there's a thing called point
24 of operation where the control panel is, if a person is
25 -- if the person is at the point of operation and cannot

1 get hurt, we kind of left it at that point you know.
2 Q. Okay. Was there some type of an approval process when
3 an engineer or someone, a draftsman or designer
4 prepared, worked on a project, was there any type of
5 approval process for that design or that proposal before
6 work started on it or before it was actually used?
7 MS. BRIDE: Objection, compound. You're
8 asking several questions in one.
9 MR. LAMBERT: Let me back up.
10 BY MR. LAMBERT:
11 Q. I assume you would either review some of the designs or
12 all of them from the people who worked for you before it
13 was put into effect?
14 A. The design of the machine? Yes.
15 Q. Did every design proposal need your approval before it
16 could be put in place?
17 A. No.
18 Q. Was there any type of process where it needed anybody's
19 approval or needed to be reviewed by anyone other than
20 the actual person assigned that project before they
21 could start work on it?
22 A. No. Most projects were fast track and much of the
23 components of the machine would be released to the shop
24 before the engineering was complete, before the design
25 is even complete.

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- 1 to -- you'd have to step it through manually and get
2 back to a start position before you could do that.
3 Q. Do you know where the start posit -- where the
4 components of the machine, the cope, the drag and the
5 gas head and such were at the start position?
6 A. No. I guess I really don't know exactly where they
7 were.
8 Q. When you worked later as the senior plant engineer at
9 the Cadillac plant, were you aware of times that the
10 cold box Sutters would, that there would be sand that
11 would stick either in the blow tubes or in the cope
12 which needed to be cleaned?
13 A. Yes. That's a typical thing I know in making the cores.
14 Q. Okay. As I understand they call them stickers at the
15 Iron-ton plant. Is that a correct terminology?
16 A. I think that's kind of the term.
17 Q. In order to clean these stickers the machines would have
18 to be put into a manual mode and locked out?
19 A. That would be the normal procedure.
20 Q. How were those cleaned at the Cadillac plant? I assume
21 you would be aware of that as the plant engineer, how
22 did they go about cleaning the sand from those machines
23 when they had stickers?
24 A. Well if they had a real good one, they'd shut her down,
25 lock it all out. The way we had the machine set up over

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1 being retrofitted?

2 A. This is talking about one machine only, two station.

3 MS. BRIDE: Right. He's asking --

4 THE WITNESS: Two phases.

5 MS. BRIDER: -- the letter.

6 BY MR. LAMBERT:

7 Q. Let's not even refer to the letter right not. Are you
8 aware of there being more than two Sutter, 1630 Sutter
9 machines that were retrofitted for Internet around the
10 early '90s?

11 A. Not that I'm aware of.

12 Q. Are you aware of Internet ordering any 1630
13 remanufactured machines for any place other than
14 Ironton?

15 A. Not offhand.

16 Q. Okay. All right. During the process of the
17 remanufacturing of the Sutter machines for the Internet
18 at Ironton during the installation stage, there was some
19 discussion about the, incorporation of some mechanical
20 stops for the machine; I believe particularly to the gas
21 head. Do you recall that or have any recollection of
22 that? Do you have any recollection of it at this time?

23 A. What's that?

24 Q. Well I'm just ask -- first, I'm going to ask you do you
25 recall just being involved in mechanical stops or any

1 this Sutter machine that the OSHA standards require that
2 remanufacturing, once the machine is remanufactured for
3 it to be, the OSHA standards be complied with regarding
4 any remanufacture?

5 A. We complied with OSHA insofar as the point of
6 operation. I don't know what other guarding and shields
7 and everything else was put on this equipment. I don't
8 know that.

9 Q. Was there any consideration given by CMI when they
10 retrofitted machines such as the Sutters to protections
11 regarding pinch points?

12 A. Insofar as the point of operation there is no problem
13 for the operator, there is no pinch point for the
14 operator at the point of operation.

15 Q. At the Ironon plant the operator had a helper. Were
16 there helpers involved with the operators in the Sutters
17 at the Cadillac plant?

18 A. There was maintenance people around. I don't -- I don't
19 know if I would call them helpers.

20 Q. Someone other than the person at the control panel.
21 There were two people at the Sutter machines at Ironon,
22 one was involved in operating the control panel, the
23 other involved in the removal of cores.

24 MS. BRIDE: What's the question?

25 BY MR. LAMBERT: